

PALM BEACH COUNTY LIBRARY SYSTEM

GOVERNMENT DOCUMENTS ORDINA

~~MENTS~~ ORDINANCE NO. 2010 - 012

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989  
COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.  
89-17, AS AMENDED; AMENDING THE FUTURE LAND USE  
ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT  
**BELVEDERE COMMERCE CENTER (SCA 2010-004);**  
MODIFYING PAGE **63** BY CHANGING A **8.13** ACRES PARCEL  
OF LAND LOCATED ON THE SOUTHEAST CORNER OF  
BELVEDERE ROAD AND SANSBURY'S WAY, FROM  
COMMERCIAL HIGH (CH) TO COMMERCIAL HIGH WITH AN  
UNDERLYING INDUSTRIAL (CH/ IND); PROVIDING FOR  
REPEAL OF LAWS IN CONFLICT; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989  
COMPREHENSIVE PLAN; AND PROVIDING FOR AN  
EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

**WHEREAS**, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

**WHEREAS**, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

**WHEREAS**, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on February 12, 2010, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as

1 the governing body of Palm Beach County, conducted a public hearing  
2 pursuant to Chapter 163, Part II, Florida Statutes, on April 22, 2010,  
3 to review the recommendations of the Local Planning Agency and to  
4 consider adoption of the amendments; and

5 **WHEREAS**, the Palm Beach County Board of County Commissioners has  
6 determined that the amendment complies with all requirements of the  
7 Local Government Comprehensive Planning and Land Development  
8 Regulation Act.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
10 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

11 **Part I. Amendments to the Future Land Use Atlas of the Land Use  
12 Element of the 1989 Comprehensive Plan**

13 The following amendment to the Future Land Use Element's Future  
14 Land Use Atlas is hereby adopted and is attached to this Ordinance:

15 **A. Future Land Use Atlas page 63** is amended as follows:

16 **Application No.:** BELVEDERE COMMERCE CENTER (SCA 2010-004)

17 **Amendment:** Commercial High (CH) to Commercial High  
18 with an underlying Industrial (CH/IND);

19 **General Location:** Southeast corner of Belvedere Road and  
20 Sansbury's Way;

21 **Size:** Approximately 8.13 acres

23 **Part II. Repeal of Laws in Conflict**

24 All local laws and ordinances applying to the unincorporated area  
25 of Palm Beach County in conflict with any provision of this ordinance  
26 are hereby repealed to the extent of such conflict.

27 **Part III. Severability**

28 If any section, paragraph, sentence, clause, phrase, or word of  
29 this Ordinance is for any reason held by the Court to be  
30 unconstitutional, inoperative or void, such holding shall not affect  
31 the remainder of this Ordinance.

32 **Part IV. Inclusion in the 1989 Comprehensive Plan**

33 The provisions of this Ordinance shall become and be made a part  
34 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
35 Ordinance may be renumbered or relettered to accomplish such, and the  
36 word "ordinance" may be changed to "section," "article," or any other  
37 appropriate word.

**Part V. Effective Date**

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the amendment is in compliance.

**APPROVED AND ADOPTED** by the Board of County Commissioners of  
Palm Beach County, on the 22nd day of April, 2010.

ATTEST:  
SHARON R. BOCK, CLERK  
AND COMPTROLLER

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Kiane B. BROWN BEACH  
Deputy Clerk COUNTY  
FLORIDA  
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Shelly Vana for  
Burt Aaronsen, Chair  
**Shelly Vana**  
TENCY

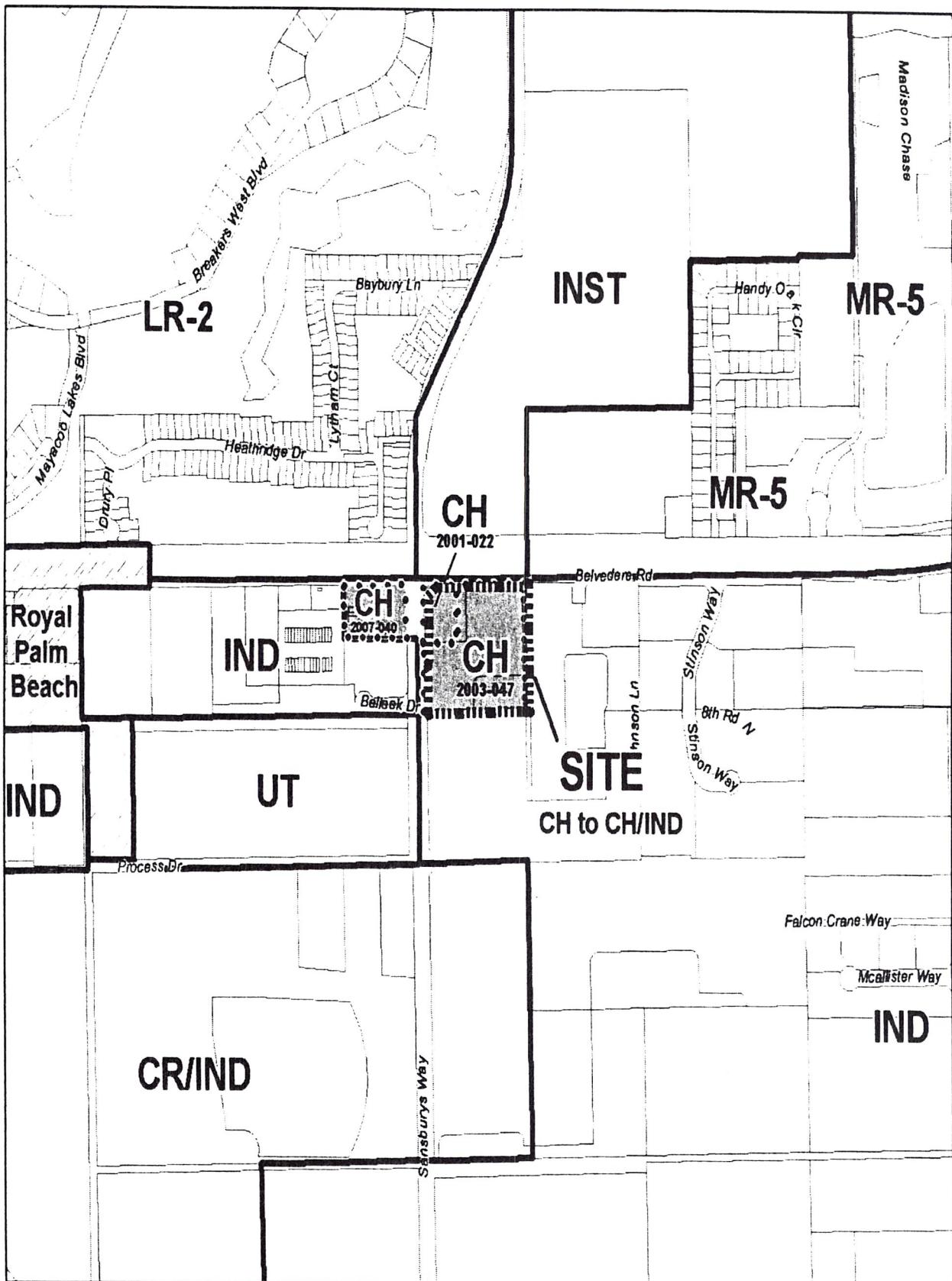
APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
  
COUNTY ATTORNEY

Filed with the Department of State on the 29th day  
of April, 2010.

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## **EXHIBIT 1**

**Amendment No.:** Belvedere Commerce Center (SCA 2010-004)  
**FLUA Page No.:** 63  
**Amendment:** CH to CH/IND  
**Location:** Southeast corner of Belvedere Road and Sainsbury's Way  
**Size:** 8.13 acres  
**Property No.:** 00-42-43-32-09-001-0000; 00-42-43-32-09-002-0000;  
00-42-43-32-09-023-0000



## Legal Description

PCN:  
00-42-43-32-09-001-0000  
00-42-43-32-09-002-0000  
00-42-43-32-09-023-0000

### LEGAL DESCRIPTION

ALL OF BELVEDERE COMMERCE CENTER M.U.P.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 106 AT PAGE 127, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 353,993 SQUARE FEET OR 8.1266 ACRES, MORE OR LESS.

### DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT BELVEDERE COMMERCE CENTER, L.L.C., A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON, BEING A REPLAT OF A PORTION OF TRACT 4, BLOCK 7, PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL LYING IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS BELVEDERE COMMERCE CENTER M.U.P.D., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 4, BLOCK 7, THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 45. SAID LANDS SITuate, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA LESS THE WEST 40 FEET THEREOF AND FURTHER LESS THE NORTH 70 FEET THEREOF. ALSO LESS THAT PORTION CONVEYED FOR RIGHT-OF-WAY BY INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 7355, PAGE 997, AND OFFICIAL RECORD BOOK 17418, PAGE 285 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; TOGETHER WITH, THAT PORTION OF THE 30 FOOT WIDE UNIMPROVED PLATTED ROAD RIGHT-OF-WAY, LYING EAST OF SAID TRACT 4, BLOCK 7 ABANDONED BY PALM BEACH COUNTY BY RESOLUTION R-99-2401 AS RECORDED IN OFFICIAL RECORD BOOK 11561, PAGE 1840 OF SAID PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, BLOCK 7, PALM BEACH FARMS CO. PLAT NO. 3, THENCE SOUTH 89°03'43" WEST, ALONG THE SOUTH LINE OF SAID TRACT 4, BLOCK 7 AND ITS EASTERN EXTENSION, A DISTANCE OF 625.16 FEET; THENCE NORTH 00°56'57" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF SANSBURY'S WAY, AS RECORDED IN OFFICIAL RECORD BOOK 17418, PAGE 285 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 203.30 FEET; THENCE NORTH 12°32'43" EAST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 51.43 FEET; THENCE NORTH 00°56'57" WEST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 280.02 FEET; THENCE NORTH 44°02'17" EAST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 56.56 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD, AS RECORDED IN SAID OFFICIAL RECORD BOOK 17418, PAGE 285; THENCE NORTH 89°01'31" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 543.29 FEET; THENCE NORTH 00°56'17" WEST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.13 FEET; THENCE NORTH 89°00'36" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF THE AFOREMENTIONED TRACT 3, BLOCK 7; THENCE SOUTH 00°56'17" EAST, ALONG SAID WEST LINE, A DISTANCE OF 585.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 353,993 SQUARE FEET OR 8.13 ACRES, MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, CLERK AND COMPTROLLER  
certify this to be a true and correct copy of the original  
filed in my office on April 22, 2010  
dated at West Palm Beach, FL on 5/4/10  
By: Diane Brown  
Deputy Clerk  
CLERK AND COMPTROLLER  
P. O. BOX 5000  
WEST PALM BEACH, FL 33405  
561-964-5000  
FAX: 561-964-5001  
E-MAIL: diane.brown@pbcgov.org